
DIGEST

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Arnold

HB No. 396

Abstract: Authorizes notice of intent to excavate to be sent electronically. Requires a record of an electronic notice to be retained by the regional notification center for a three-year period from the date of notification. Requires an operator of an underground cable television utility to participate in regional notification centers. Repeals expired temporary notice provisions.

Present law requires an excavator or demolisher, prior to any excavation or demolition, to serve telephonic notice of the intent to excavate or demolish to the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place.

Proposed law authorizes the notice of intent to excavate to also be sent through electronic means.

Present law requires telephonic notice to be recorded on tape or stored into an electronic data bank by the regional notification center and a record of the notice to be retained for a three-year period from the date of notification.

Proposed law requires a record of an electronic notice to also be retained by the regional notification center for a 3-year period from the date of notification.

Present law excludes an operator of an underground cable television utility from the requirement to become a member of, participate in, and share the cost of a regional notification center.

Proposed law deletes the exclusion for cable television operators.

Present law provides that, until July 1, 2007, excavators and demolishers, in the parishes of St. Tammany, Orleans, St. Bernard, Jefferson, Plaquemines, Lafourche, Terrebonne, St. Mary, Iberia, Vermilion, Cameron, and Calcasieu shall serve telephonic notice of the intent to excavate or demolish to the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place at least 96 hours, but not more than 240 hours, excluding weekends and holidays, in advance of the commencement of any excavation or demolition activity.

Proposed law repeals present law.

Present law provides that, until July 1, 2007, the excavator or demolisher, in the parishes of St. Tammany, Orleans, St. Bernard, Jefferson, Plaquemines, Lafourche, Terrebonne, St. Mary,

Iberia, Vermilion, Cameron, and Calcasieu shall wait at least 96 hours following notification before commencing any excavation or demolition activity, except in the case of an emergency or if informed by the regional notification center that no operators are to be notified.

Proposed law repeals present law.

Present law provides that, until July 1, 2007, at the time of the telephonic call by the excavator or demolisher, the regional notification center or centers serving the area in which the proposed excavation or demolition is to take place shall notify the excavator or demolisher who wishes to excavate or demolish in the parishes of St. Tammany, Orleans, St. Bernard, Jefferson, Plaquemines, Lafourche, Terrebonne, St. Mary, Iberia, Vermilion, Cameron, and Calcasieu that the "mark-by-time" is 96 hours in those parishes. The regional notification center or centers shall also adequately notify the excavator or demolisher by placing in bold type on the call ticket that the "mark-by-time" period in the area is 96 hours.

Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends 40:1749.13(B)(1) and (3) and 1749.14(A); Repeals R.S. 40:1749.13(E))